

**NOTICE OF PUBLIC HEARING  
DEPARTMENT OF GAME, FISH, AND PARKS**

A Public Hearing will be held at the Holiday Inn Express, 110 East Stanley Road, Ft. Pierre, South Dakota, on Thursday, December 11, 2014, at 2:00 o'clock P.M. (CST), to consider amendment of the following rule pertaining to:

1. ARSD 41:07:06:03 (Areas open to spearfishing of game fish).

Effect: The proposed amendments would authorize statewide spearing of game fish; open boundary waters to seasons that match adjoining states spearing laws; make the season the same as hook and line, open January 1 and end the last day of December; and allow the taking of all species of fish except those that are protected.

Reason: An interested party submitted a petition to the Game, Fish, and Parks Commission requesting the proposed rule amendments. Reasons advanced for adoption of the proposed amendments include (a) there are no social or biological reasons for not adopting the proposed amendments; (b) any safety concerns can be adequately addressed by enforcement of existing rules which pertain to both divers and boaters; (c) afford spear fishers and bow fishers with the same opportunity to take game fish as is enjoyed by hook and line anglers.

The above rule proposal may be modified or amended following receipt of public comment at the hearing to include or exclude matters that are described in this Notice of Hearing. The hearing may be continued from time to time until its business has been completed and may be rescheduled.

Interested persons will be given reasonable opportunity to submit data, opinions, arguments, and their views, either orally or in writing (or both) at the hearing. Persons unable to attend the hearing may mail data, opinions, arguments, and their views to the office of the Secretary of the Department of Game, Fish, and Parks, Foss Building, 523 East Capitol, Pierre, South Dakota 57501, or transmit by email to [gfpadminrules@state.sd.us](mailto:gfpadminrules@state.sd.us)

All persons who desire to submit written data, opinions, arguments, and their views by mail or email are encouraged to mail or transmit the same in sufficient time so that it is received by and in the office of the Secretary of the Department of Game, Fish, and Parks on or before 12:00 o'clock P.M. three (3) days prior to the date of Hearing. Interested persons will be given reasonable opportunity to submit data, opinions, arguments and their views, either orally or in writing (or both) to the Commission for their consideration. All written and email comments must include the name, home town/city, and state of the person submitting the comments.

The above rule proposal is available for review on the internet by going to <https://rules.sd.gov/> and copies of the proposed rule may be requested from the office of the Secretary of the Department of Game, Fish, and Parks, Foss Building, 523 East Capitol, Pierre, South Dakota 57501. Notice is further given to individuals with disabilities that this hearing is being held in a physically accessible place. Any individuals with disabilities who will require a reasonable accommodation in order to participate in the hearing should submit a request to the undersigned at 605.773.3718 or 605.223.7684 (Telecommunication Device for the Deaf).

Dated this 14th day of November, 2014.

(SEAL)

  
Jeffrey R. Vonk, Dept. Secretary

This Notice of Public Hearing is published at the approximate cost of \$\_\_\_\_\_.